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Landmark Judgments of the Indian Judiciary, January – August 2026

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PUBLISHER'S NOTE

About This Issue

A note on scope, sourcing and the purpose of this compilation.

The Hidden Voice is published by the Indian Judicial Forum (Bhartiya Nyayik Manch) as a running record of the Indian judiciary's engagement with constitutional rights, criminal justice, environmental governance, commercial law and the profession's evolving relationship with technology. This edition surveys landmark rulings of the Supreme Court of India and select High Courts delivered principally between January and August 2026.

Every case summary in this issue has been prepared from publicly available judgments, court records, official press releases and reputable legal news and journal coverage, including SCC OnLine, LiveLaw, the Supreme Court Observer, Drishti IAS, Verdictum and the official website of the Supreme Court of India. Case summaries are for general informational and educational purposes only and are not a substitute for reading the full text of the judgment. Nothing in this magazine constitutes legal advice, and readers dealing with an actual dispute should consult a qualified advocate.

Neutral citations (the 'INSC' series and 'SCC OnLine SC' series) have been reproduced where available so that readers and students can independently verify and pull the full judgment from the Supreme Court's website, e-SCR portal, or Indian Kanoon.

A Note on Accuracy

Every effort has been made to ensure that the facts, bench composition and holdings summarised here are accurate as of the date of publication. Given that review petitions, curative petitions and clarificatory orders may follow any judgment, readers are encouraged to check the current status of a case before relying on it.

> ***"Justice must not merely be done — it must be seen to be understood."***

That is the editorial philosophy of The Hidden Voice: not to replace the judgment, but to open the door to it.

EDITOR'S DESK

From the Editor's Desk

Reflections on a judicial year defined by dignity, technology and institutional self-correction.

By the Editorial Board, Indian Judicial Forum

The first eight months of 2026 will likely be remembered as a year in which the Supreme Court of India was called upon, again and again, to answer a single underlying question: what does dignity actually require of the State, of institutions, and now, of machines?

The Court answered that question in radically different registers. In Harish Rana v. Union of India, dignity meant permitting a family, after thirteen years of waiting, to let a loved one go. In Dr. Jaya Thakur v. Government of India, dignity meant recognising that a girl should never have to choose between her education and her body. In Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd., dignity took an unexpected form: the integrity of the judicial process itself, threatened not by human malice but by the confident fabrications of artificial intelligence.

Running underneath these headline-grabbing rulings is a quieter but equally important story — the steady, unglamorous work of the Court in environmental law, service jurisprudence, arbitration and criminal procedure. A bench clarifying when land can be called a 'deemed forest'. Another insisting that women officers in the Armed Forces be judged by criteria free of institutional exclusion. A third drawing a careful line between a genuine arbitration clause and a mere departmental grievance mechanism. None of these cases will trend on social media, but each will be cited in courtrooms across the country for years.

This issue of The Hidden Voice attempts to bring both registers together — the landmark and the granular — because a legal magazine that reports only on the spectacular does its readers a disservice. Law students preparing for moot court, young advocates building their first briefs, and citizens simply trying to understand their rights all need the connective tissue between a headline and a holding.

We are grateful, as always, to our contributors, student researchers and the wider community of the Indian Judicial Forum for making this issue possible. As the year moves toward its final quarter, we look forward to tracking how these rulings are implemented, challenged, and, where necessary, refined.

Until the next issue — read well, cite carefully, and question everything.

— Editorial Board

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MASTHEAD

Editorial Board & Credits

The people and process behind The Hidden Voice.

Patron-in-Chief

Indian Judicial Forum (Bhartiya Nyayik Manch) — a national platform for legal research, awareness and professional networking.

Editorial Board

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Editorial Policy

The Hidden Voice does not accept payment in exchange for favourable coverage of any judgment, institution or individual. Contributed articles undergo an internal review for accuracy, tone and adherence to the Forum's citation standards before publication. Opinions expressed in signed articles are those of the individual authors and do not necessarily reflect the position of the Indian Judicial Forum as an institution.

Sources & Acknowledgements

This issue draws on judgments and reportage from the Supreme Court of India's official website, SCC OnLine / SCC Times, LiveLaw, the Supreme Court Observer, Indian Kanoon, Drishti IAS, Verdictum, Down To Earth, and other legal news and journal publications, each credited within the relevant article. The Forum thanks these institutions for the public service of judgment reporting.

> ***"A magazine of law is only as trustworthy as its footnotes."***

How We Verify Facts

Each case summary in this issue passes through a three-step check before publication: first, the underlying judgment or official court record is located wherever available; second, at least one independent secondary report is cross-checked against it for consistency on dates, bench composition and holding; and third, a member of the editorial board reviews the final draft for tone, accuracy and citation formatting.

Corrections & Clarifications

The Indian Judicial Forum is committed to promptly correcting factual errors. If you believe any statement in this issue is inaccurate or requires clarification, please write in through the contact

channels listed at the back of this issue, citing the relevant page and article. Verified corrections will be published in the next available issue of The Hidden Voice.

This Issue's Contributors

- Constitutional Law Desk — case analysis on passive euthanasia, menstrual health, and the right to walk.
- Technology & Law Desk — coverage of AI-hallucinated precedents and data privacy under the DPDP Act.
- Criminal Law Desk — coverage of POCSO jurisprudence and UAPA bail proceedings.
- Environmental Law Desk — coverage of forest conservation and 'deemed forest' rulings.
- Service Law Desk — coverage of Permanent Commission litigation for women officers.
- Commercial Law Desk — coverage of arbitration and insolvency jurisprudence.
- Student Editorial Associates — glossary, quiz, and student corner content, compiled by the Law School Correspondents Programme.

WHO WE ARE

About the Indian Judicial Forum

Building a community of legal professionals, students and citizens around access to justice.

The Indian Judicial Forum (Bhartiya Nyayik Manch) is a platform dedicated to legal awareness, professional networking, and the dissemination of accurate, accessible information about the Indian legal system. Through its website, certification programmes, legal updates desk and this magazine, the Forum aims to bridge the gap between the technical language of the courts and the public that is governed by their decisions.

What We Do

- Publish The Hidden Voice, a periodic magazine tracking landmark judgments and legal developments.
- Run certification and skill-development programmes for law students and young professionals.
- Recognise outstanding contributions to legal scholarship and practice through annual awards.
- Maintain a Legal Updates desk tracking legislation, notifications and case law as they are released.
- Host a Join Legal Forum membership network connecting students, advocates and academicians.

Our Values

- Accuracy first — every claim is checked against a primary or credible secondary source.
- Accessibility — complex legal reasoning explained in language a first-year student can follow.
- Neutrality — reporting the law as it stands, and flagging where reasonable legal opinion differs.
- Community — a forum built by and for the next generation of the Indian legal profession.

To learn more about membership, certification programmes, or to contribute an article to a future issue of The Hidden Voice, visit judicialforum.in or turn to the back pages of this issue.

COVER STORY · RIGHT TO LIFE & DIGNITY

Harish Rana v. Union of India

For the first time, the Supreme Court of India applies its own eight-year-old passive euthanasia framework to a living patient — and asks Parliament to finish the job.

Constitutional Law Desk

Citation	2026 INSC 222 / 2026 SCC OnLine SC 358
Court	Supreme Court of India
Bench	Justice J.B. Pardiwala & Justice K.V. Viswanathan
Date of Judgment	11 March 2026
Key Statute/Doctrine	Article 21; Common Cause v. Union of India (2018) 5 SCC 1

On 11 March 2026, the Supreme Court delivered what is being described as India's first fully implemented order of passive euthanasia — not merely a restatement of the right to die with dignity, but its practical application to a living, breathing case. The judgment closes a chapter that began in 2013, when a teenager from Chandigarh fell from the fourth floor of a building and never regained consciousness.

Harish Rana was nineteen years old at the time of the fall. For more than thirteen years thereafter, he remained in what doctors call a Permanent Vegetative State, sustained by Clinically Assisted Nutrition and Hydration delivered through a feeding tube. His family's petition asked a question the Supreme Court had answered only in the abstract since 2018: when, in practice, may that support lawfully be withdrawn?

The Long Road to the Supreme Court

The family's plea was first placed before the Delhi High Court, which declined to permit withdrawal of life support. The matter reached the Supreme Court, which in 2025 directed the constitution of Primary and Secondary Medical Boards to independently assess Rana's prognosis, as contemplated under the procedural safeguards laid down in Common Cause v. Union of India (2018).

Having reserved judgment on 15 January 2026 after hearing final arguments, the Bench of Justices Pardiwala and Viswanathan pronounced its decision on 11 March 2026, squarely overturning the Delhi High Court's reasoning.

The Questions Before the Court

- Does Clinically Assisted Nutrition and Hydration (CANH) amount to 'medical treatment' capable of lawful withdrawal, or is it mere 'basic care' that can never be withdrawn?
- How should the 'best interests' test be applied where the patient cannot express a current wish and left no advance medical directive?
- What role should the family's assessment, the treating hospital, and independent medical boards each play in the final decision?

- What procedural safeguards, if any, needed to be refined from the Common Cause guidelines to make them workable in practice?

CANH is medical treatment, not basic care — and where it merely prolongs dying, it may be withdrawn in the patient's best interests.

What the Court Held

The Bench held that CANH — whether delivered by a PEG tube or nasogastric tube — constitutes medical treatment requiring ongoing clinical assessment and management, and is therefore distinct from basic nursing care such as warmth, hygiene or pain relief, which can never be withdrawn.

Because CANH is medical treatment, the Court held it falls squarely within the passive euthanasia framework recognised in Common Cause, and may lawfully be withdrawn once it ceases to serve any therapeutic purpose and merely prolongs biological existence without any realistic prospect of recovery.

Applying a detailed best-interests analysis — weighing medical futility, irreversibility of the condition, the dignity of the patient, and the consistent wishes of the family over thirteen years — the Court authorised withdrawal of CANH under a structured palliative and end-of-life care plan.

The judgment surveyed comparative jurisprudence from the United Kingdom, the United States, Ireland, Italy, Australia, New Zealand and the European Court of Human Rights before streamlining the 2018 Common Cause guidelines to remove several procedural bottlenecks that had made the framework difficult to invoke in practice.

Why This Judgment Matters

Common Cause (2018) established, in principle, that a person has a right to die with dignity and that passive euthanasia is constitutionally permissible for patients in a permanent vegetative state. But between 2018 and 2026, that right existed largely on paper — the procedural safeguards were widely regarded as too cumbersome for families to actually invoke. Harish Rana is significant precisely because it is the first case in which the Court has walked a real family through the entire process to a real outcome.

The ruling also refines the constitutional architecture of Article 21 by distinguishing clearly between 'active euthanasia' — which remains a criminal offence in India — and 'passive euthanasia', which involves the withdrawal or withholding of medical treatment rather than any affirmative act to end life. That line, the Court held, must remain sharp: the judgment does not, and could not, open any doorway toward mercy killing.

Perhaps most importantly for future litigants, the Court urged Parliament to enact a comprehensive statute on end-of-life care so that families do not need to approach constitutional courts for what should, ideally, be a well-regulated clinical and administrative process governed by legislation rather than litigation.

Key Takeaways for Students & Practitioners

- CANH (feeding tubes, IV nutrition) is 'medical treatment', not basic care — this distinction is now binding law.
- The 'best interests' test looks at medical futility, irreversibility, patient dignity, and family/medical board views together.
- The Common Cause (2018) guidelines have been streamlined — read Harish Rana alongside Common Cause, not in isolation.
- Legislative gap: India still has no standalone statute on passive euthanasia or advance medical directives.

Sources: Supreme Court of India judgment records; Indian Kanoon; LawFoyer; the Indian Journal of Law and Legal Research; VerfBlog; Drishti IAS; Vakilsearch.

CONSTITUTIONAL LAW · GENDER JUSTICE

Dr. Jaya Thakur v. Government of India

The Supreme Court folds menstrual health into Article 21, making India one of the few countries to give it explicit constitutional protection.

Gender & Constitutional Law Desk

Court	Supreme Court of India
Bench	Justice J.B. Pardiwala & Justice R. Mahadevan
Date of Judgment	30 January 2026
Petitioner	Dr. Jaya Thakur, social worker and public-interest petitioner
Key Provisions	Articles 14 and 21; Right of Children to Free and Compulsory Education Act, 2009

"A period should end a sentence, not a girl's education." With that framing, the Supreme Court on 30 January 2026 recognised menstrual health and hygiene as an integral facet of the fundamental right to life, dignity, bodily autonomy and reproductive health guaranteed by Article 21 of the Constitution.

The petition was filed by Dr. Jaya Thakur, a social worker, seeking judicial recognition of the barriers that menstruation continues to pose to girls' education across India — barriers the Court found were not incidental inconveniences, but constitutional failures with measurable, devastating consequences.

The Scale of the Problem

The Court took judicial notice of research indicating that a large proportion of adolescent girls in India are unaware of menstruation before they first experience it, and that inadequate sanitation, lack of affordable products and social stigma drive significant numbers of girls out of school each year once they reach puberty.

The Bench situated its analysis within the doctrine of substantive equality, holding that rights can only be meaningfully realised when a person's social positioning — shaped by caste, class, religion, disability and gender — is genuinely accounted for, rather than treated as incidental to a formally equal legal regime.

The Constitutional Questions

- Can period-related absenteeism and drop-out be understood as a violation of the fundamental Right to Education under Article 21-A and the RTE Act, 2009?
- Does the absence of adequate menstrual hygiene infrastructure in schools violate the substantive equality guarantee under Article 14?
- Is menstrual health and hygiene management properly characterised as a matter of individual welfare, or as a 'shared responsibility' of the State?
- What binding, enforceable directions can a constitutional court issue to translate this recognition into on-the-ground change?

Menstrual health moves from a welfare scheme to a binding constitutional entitlement under Articles 14 and 21.

The Court's Directions

The Court declared menstrual health and hygiene an integral part of the right to life, dignity, bodily autonomy, equality and education — converting what had largely been treated as a matter of welfare-scheme discretion into an enforceable constitutional entitlement.

It directed the Union and State governments to ensure the provision of free, oxo-biodegradable sanitary products for girl students from classes 6 to 12, alongside functional, gender-segregated toilets with clean water, soap and covered disposal facilities.

Schools were directed to establish Menstrual Hygiene Management (MHM) corners stocked for emergencies, and to sensitise both students and teaching staff so that menstruation ceases to be treated as a source of stigma or embarrassment.

The Court issued a continuing mandamus — keeping the case formally open so that it can monitor 'substantial compliance' with its directions over time, rather than treating the judgment as a one-time pronouncement.

Why It Matters

Commentators have noted that this ruling makes India one of the only countries in the world to constitutionally guarantee menstrual health as a component of a fundamental right, rather than leaving it purely to policy or statute. That distinction matters because constitutional entitlements carry a different, generally stronger, form of judicial enforceability than administrative schemes, which can be withdrawn or under-funded without legal consequence.

At the same time, several commentators — including reviewers writing in the Oxford Human Rights Hub — have cautioned that the judgment's practical impact will depend heavily on implementation at the state and school level, and that its framing occasionally narrows toward menstrual hygiene infrastructure rather than the broader menstrual literacy and bodily autonomy the Court itself invoked in its reasoning.

For education law more broadly, the case builds on a line of decisions in which the Court has read the RTE Act's guarantee of free and compulsory education expansively — treating financial and structural barriers, not merely the absence of a school building, as violations of the right to education.

Key Takeaways

- Menstrual health and hygiene is now doctrinally anchored in Articles 14 and 21 — not merely a policy commitment.
- Continuing mandamus means the case remains open for compliance monitoring — track future orders in this matter.
- Directions apply to Classes 6–12 across government and aided schools nationwide.

- The judgment builds on, and should be read alongside, the Court's education-rights jurisprudence under Article 21-A.

Sources: Drishti IAS; Down To Earth; Supreme Court Observer; Oxford Human Rights Hub; Health and Human Rights Journal; LiveLaw; Insights on India.

TECHNOLOGY & LAW · JUDICIAL INTEGRITY

Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd.

When a tribunal cited case law that simply does not exist, the Supreme Court had to decide what happens to a decision built on a fiction.

Technology & Law Desk

Citation	2026 INSC 668
Court	Supreme Court of India, Civil Appellate Jurisdiction
Bench	Justice Pamidighantam Sri Narasimha & Justice Alok Aradhe
Date of Judgment	2 July 2026
Statutory Context	Section 7, Insolvency and Bankruptcy Code, 2016

Every so often, a judgment arrives that is less about the parties before the Court than about the profession itself. Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. is one such case — a routine-looking insolvency appeal that became the Supreme Court's most emphatic statement yet on the use of artificial intelligence inside the justice system.

The underlying dispute arose out of a large credit facility extended by Jammu and Kashmir Bank Ltd. to a group entity, secured in part by a corporate guarantee and a mortgage over land in Mumbai. When the loan turned into a default, the bank moved under Section 7 of the Insolvency and Bankruptcy Code, 2016 to trigger the corporate insolvency resolution process — the kind of proceeding the National Company Law Tribunal (NCLT) handles routinely.

How the Problem Surfaced

On scrutiny, the Supreme Court found that the NCLT's order — later affirmed by the National Company Law Appellate Tribunal (NCLAT) — had relied on a set of judicial 'precedents' that turned out to be entirely non-existent: case names, citations and propositions of law fabricated by an AI tool and treated, apparently without independent verification, as genuine authority.

The Court noted this was not the first such instance to come before it, and drew a striking comparison, describing reliance on AI-hallucinated precedents in judicial proceedings as akin to releasing a toxic contaminant into the field of law and justice — a metaphor invoking the gravity with which the Bench viewed the episode.

The Legal Questions

- Can a judicial or quasi-judicial decision that rests, even partly, on fabricated AI-generated 'precedent' be treated as a valid decision at all?
- Where does responsibility lie when hallucinated material enters the record — with the advocate who cited it, the tribunal that relied on it, or both?

- What professional-conduct consequences should follow for lawyers who cite unverified AI-generated case law?
- Separately, on the merits: how narrow is the NCLT's inquiry at the admission stage of a Section 7 application under the IBC?

A decision resting on fabricated AI-generated precedent is no decision in the eyes of the law — and must be set aside.

What the Supreme Court Held

The Court held, in unambiguous terms, that a decision resting on fake or hallucinated AI-generated material is 'no decision in the eyes of the law' and must be set aside — even where the fabricated material had only an indirect bearing on the eventual outcome.

It declared a policy of zero tolerance for both the Bar and the Bench: advocates and tribunals alike owe a duty to independently verify any citation before relying on it, and citing AI-generated fake precedents was characterised as amounting to professional misconduct on the part of the advocate responsible.

The Bench referred the issue to the Bar Council of India for examination, signalling that this is not merely a one-off judicial correction but the beginning of a wider regulatory response to generative AI's entry into legal practice.

On the underlying insolvency question, the Court reaffirmed that a Section 7 admission inquiry is narrow — confined to whether a financial debt and a default exist — and that once those two facts are established, the NCLT is obliged to admit the application, without any residual discretion to decline admission on other grounds.

Why This Judgment Will Be Cited for Years

As generative AI tools become embedded in everyday legal research, this judgment is likely to become the foundational Indian authority on AI use in litigation — comparable in stature to the early cases that first grappled with electronic evidence or digital signatures. It puts both advocates and adjudicators on formal notice that convenience is no substitute for verification.

The judgment also has a quieter but important IBC dimension, reaffirming the 'debtor-in-possession-lite' architecture Parliament built into the Code and clarifying that the NCLT's gatekeeping role at the admission stage is a factual, not a discretionary, exercise once debt and default are shown.

For law schools and bar associations, the case is already being used to design new modules on AI literacy and legal research ethics — an area where formal training has, until now, lagged far behind actual practice.

Key Takeaways

- Never cite an AI-generated case citation without independently verifying it against a primary source such as SCC Online, the official court website, or Indian Kanoon.

- A decision built on fabricated precedent is void — even if the fabricated material was not decisive to the outcome.
- The Bar Council of India has been asked to examine professional-conduct consequences for advocates who cite hallucinated authority.
- On the merits, the Section 7 IBC inquiry remains narrow: debt plus default equals mandatory admission.

Sources: Indian Kanoon; LiveLaw; Verdictum; Valkya Editorial; Aashayein Judiciary; LawArticle; Barristery; The Wire.

CRIMINAL LAW · CHILD PROTECTION

State of Uttar Pradesh v. Anurudh

The Supreme Court asks the Union to consider a 'Romeo-Juliet clause' that would shield genuine adolescent relationships from the full weight of the POCSO Act.

Criminal Law Desk

Neutral Citation	2026 INSC 47
Court	Supreme Court of India
Bench	Justice Sanjay Karol & Justice N. Kotiswar Singh
Statute in Question	Protection of Children from Sexual Offences Act, 2012
Appeal From	Allahabad High Court

The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to shield children from sexual abuse and exploitation — an unquestionably legitimate and necessary object. But a recurring concern before Indian courts is that the Act, in its current form, makes no distinction between predatory abuse and consensual relationships between adolescents close in age, sweeping both into the same severe criminal framework.

State of Uttar Pradesh v. Anurudh arose from precisely this tension. The Allahabad High Court, hearing a bail matter, had directed that an age-determination test be conducted in all cases arising under the POCSO Act — a blanket procedural rule the State challenged before the Supreme Court.

The Questions Before the Court

- Should medical age-determination be conducted as a matter of course in every POCSO case, including at the bail stage?
- Is age determination properly a matter for trial, or can it be resolved procedurally at the bail stage?
- Does the POCSO Act, as currently drafted, adequately distinguish predatory sexual abuse from consensual adolescent relationships?
- What institutional steps, if any, can the Court direct to address documented patterns of misuse of the Act?

The law should not criminalise situations where both parties are minors and the relationship is genuinely consensual.

What the Court Held

The two-judge Bench set aside the Allahabad High Court's direction mandating age-determination tests in all POCSO cases, holding that age determination is a matter properly reserved for trial and not one to be resolved as a blanket rule at the bail stage.

The Court took note of repeated judicial observations — from multiple High Courts — that the POCSO Act is at times invoked to criminalise consensual relationships between adolescents,

frequently in the context of inter-caste or inter-religious relationships, family disapproval, or attempts to settle personal scores.

It directed that a copy of the judgment be circulated to the Secretary, Ministry of Law and Justice, Government of India, to consider steps to curb this pattern of misuse — specifically flagging the possible introduction of a 'Romeo-Juliet clause' that would exempt genuine, consensual relationships between adolescents of a similar age from the full force of the Act.

The Court simultaneously directed consideration of a mechanism to prosecute those who misuse the Act to settle personal scores, signalling that any reform must protect against both over-criminalisation of adolescents and weaponisation of the law against genuine victims.

Why This Matters

A 'Romeo-Juliet' exception — a term borrowed from similar provisions in several jurisdictions including the United States — is not currently part of Indian law. This judgment does not create one; it is a judicial recommendation for legislative reform, which Parliament may or may not act upon. Until legislation changes, the POCSO Act's existing provisions continue to apply in full.

Independent research cited in subsequent commentary — a joint study by Enfold Proactive Health Trust and UNICEF spanning Maharashtra, Assam and West Bengal — found that a meaningful proportion of POCSO cases in the sampled period involved consensual romantic relationships between adolescents rather than predatory abuse, lending empirical weight to the Court's concern.

The ruling sits within a broader body of 2026 criminal law jurisprudence in which multiple High Courts also grappled with the boundaries of consent, bodily autonomy and the proper scope of sexual-offence statutes — several of which are digested in the High Courts Round-Up later in this issue.

Key Takeaways

- Age determination in POCSO cases is a trial-stage question, not a mandatory pre-bail procedural hurdle.
- No 'Romeo-Juliet clause' currently exists in Indian law — this is a judicial recommendation, not a change in the statute.
- The Court expressly recognised documented patterns of POCSO misuse without diluting the Act's core child-protection purpose.
- Watch this space: any legislative response from the Ministry of Law and Justice would be a major development for criminal law practitioners.

Sources: Verdictum; Child Safety at Work; Sanskriti IAS; SCC Times Criminal Law Round-Up, January 2026.

ENVIRONMENTAL LAW · FOREST CONSERVATION

Forests, 'Deemed Forests' and the Limits of Development

Two Supreme Court rulings in early 2026 draw sharper lines around what counts as forest land — and what doesn't.

Environmental Law Desk

Case	Naveen Solanki v. Rail Land Development Authority
Neutral Citation	2026 INSC 270
Bench	Justice Dipankar Datta & Justice Augustine George Masih
Date	20 March 2026

Case I — When Does Land Become a 'Deemed Forest'?

The dispute concerned a redevelopment project at Bijwasan Railway Station in Delhi, challenged on the ground that the land had, over time, acquired the status of a 'deemed forest' owing to the growth of more than a thousand trees on the site — a status that, if established, would have required prior Central Government approval under the Forest (Conservation) Act, 1980, per the framework laid down in the landmark T.N. Godavarman Thirumulpad litigation.

The National Green Tribunal had rejected this argument, finding the land situated in a fully urbanised area with surrounding infrastructure and therefore not a natural forest ecosystem. The Supreme Court affirmed the NGT's approach, holding that a parcel of land not designated as forest at the time of the relevant Master Plan does not subsequently become a 'deemed forest' merely because vegetation grows on it over time.

Authoring the judgment, Justice Masih observed that the mere presence of vegetation or tree cover cannot, by itself, be equated with the existence of a natural forest ecosystem, and that artificially introduced vegetation is analytically distinct from — and does not enjoy the same protection as — an indigenous forest community. The Court grounded its reasoning in the need for certainty and predictability in statutory planning processes, cautioning that a contrary rule would leave every approved development project vulnerable to belated reclassification.

Case	State of Karnataka v. Gandhi Jeevan Collective Farming Co-operative Society Ltd.
Court	Supreme Court of India
Governing Statute	Forest (Conservation) Act, 1980

Case II — Historical Possession Cannot Legitimise Illegal Diversion

In a second significant ruling, the Supreme Court held that forest land granted on lease for agricultural purposes cannot be regularised, continued or legitimised in violation of the Forest (Conservation) Act, 1980 — regardless of how many decades the unlawful arrangement had persisted. The case arose from a lease of forest land by the State of Karnataka to a cooperative farming society for agricultural use.

The Court categorically rejected the argument that prolonged, historical possession could cure what was, from the outset, an illegal grant, holding that courts cannot permit the continuation of non-forest use of forest land merely on equitable considerations. The ruling reinforces the principle that India's forest protection statutes function as absolute restraints rather than discretionary guidelines that can bend to administrative convenience or the passage of time.

Significantly, the Court went beyond simply invalidating the lease, directing active ecological restoration of the land rather than a bare declaration of illegality — reflecting a broader judicial trend toward remedial, outcome-oriented environmental enforcement rather than purely declaratory relief.

Reading the Two Cases Together

Taken together, Naveen Solanki and Gandhi Jeevan Collective Farming illustrate the Supreme Court's two-sided approach to forest jurisprudence in 2026: on one hand, refusing to let 'deemed forest' status be manufactured retroactively to block legitimate, previously-approved development; on the other, refusing to let genuine forest land be permanently diverted merely because an illegal arrangement was allowed to persist for years. Both rulings trace their doctrinal roots to the T.N. Godavarman Thirumulpad line of cases — arguably independent India's longest-running environmental litigation, ongoing since 1995 — which the Court itself moved in April 2026 to procedurally restructure in light of its expanding docket.

Also Worth Watching

- Rhythm County v. Satish Sanjay Hegde (30 January 2026) — the Court affirmed the National Green Tribunal's broad discretion under Sections 15 and 20 of the NGT Act, 2010 to fix environmental compensation proportionate to a project's scale and turnover.
- In Re: T.N. Godavarman Thirumulpad — on 13 April 2026, the Bench of CJI Surya Kant and Justice Bagchi restructured the decades-old forest conservation litigation to make it more manageable going forward.
- The National Green Tribunal has separately taken suo motu cognizance of extreme heatwave conditions across India, directing authorities to prepare area-specific climate adaptation plans.

SERVICE LAW · GENDER EQUALITY

Pooja Pal & Yogendra Kumar Singh v. Union of India

Two judgments delivered on the same day extend the logic of Babita Puniya (2020) to correct how women officers' service records were assessed.

Service Law Desk

Citations	Pooja Pal — 2026 INSC 281 (Army) | Yogendra Kumar Singh — 2026 INSC 282 (Navy)
Date	24 March 2026
Bench	CJI Surya Kant, Justice Ujjal Bhuyan & Justice N.K. Singh
Foundational Precedent	Secretary, Ministry of Defence v. Babita Puniya (2020)

Short Service Commission Officers — women commissioned into the Indian Army largely between 2010 and 2012 — had reason to believe that the Supreme Court's landmark 2020 ruling in Babita Puniya, which opened the door to Permanent Commission for women officers, had settled their futures. Yet many found themselves denied Permanent Commission regardless, on the strength of Annual Confidential Reports (ACRs) written years earlier, under conditions the Court would go on to describe as institutionally exclusionary.

On 24 March 2026, the Supreme Court delivered two connected judgments — one concerning Army officer Pooja Pal, the other concerning a Navy officer, Yogendra Kumar Singh — addressing the same underlying defect from both services.

The Core Problem

- Can Annual Confidential Reports written at a time when women officers were structurally excluded from certain postings, command opportunities or evaluation criteria fairly be used, years later, to deny them Permanent Commission?
- What remedy is appropriate where the original evaluation framework is found to have been discriminatory in its design or application?
- How should courts balance deference to service evaluation processes against the constitutional guarantee of equality under Article 14 and 16?

What the Court Held

The Court held that ACRs written under conditions of institutional exclusion — where women officers were denied the same range of postings, responsibilities and evaluation opportunities as their male counterparts — cannot fairly form the basis for denying them Permanent Commission.

Delivering companion judgments for the Army and Navy on the same day, the Bench directed a fresh, non-discriminatory reassessment of the affected officers' service records for the purpose of determining eligibility for Permanent Commission.

Why It Matters

The rulings mark a continuation, rather than a one-time application, of the equality principle established in Babita Puniya — signalling that the Court is prepared to keep correcting downstream implementation failures rather than treating that 2020 judgment as a closed chapter.

For service law practitioners, the twin judgments are a reminder that facially neutral evaluation criteria can still produce discriminatory outcomes where the underlying opportunities to earn a strong record were themselves unequal — an evidentiary and doctrinal point relevant well beyond the armed forces context.

Key Takeaways

- Read Pooja Pal and Yogendra Kumar Singh together with Babita Puniya (2020) — the trilogy defines the current law on women's Permanent Commission.
- ACRs from a discriminatory evaluation period can be judicially set aside for fresh assessment.
- The judgments apply the equality guarantee under Articles 14 and 16 to facially neutral but substantively unequal service processes.

Sources: BharatLaw.ai — Top 10 Supreme Court Judgments, March 2026.

COMMERCIAL LAW · ARBITRATION

M/s Bharat Udyog Ltd. v. Ambernath Municipal Council

Not every dispute-resolution clause is an arbitration clause — the Supreme Court draws the line.

Commercial Law Desk

Neutral Citation	2026 INSC 288
Court	Supreme Court of India
Date	March 2026
Governing Statute	Arbitration and Conciliation Act, 1996

Contracts with public bodies frequently contain clauses referring disputes 'to the Collector' or to a departmental hierarchy for resolution. Are such clauses arbitration agreements, entitling a party to invoke the machinery of the Arbitration and Conciliation Act, 1996? In M/s Bharat Udyog Ltd. v. Ambernath Municipal Council, the Supreme Court answered no — and, in doing so, clarified what actually distinguishes an arbitration agreement from an ordinary administrative grievance mechanism.

What the Court Held

The Court held that a valid arbitration agreement requires mutual consent — a genuine meeting of minds between the parties to refer their disputes to a private, adjudicatory process outside the ordinary courts — as distinct from a clause that merely channels disputes through a departmental or administrative hierarchy.

Applying that test, the Bench held that a contract clause directing disputes to the Collector and the Divisional Commissioner amounted to nothing more than a departmental grievance mechanism, and not an arbitration agreement capable of triggering the Arbitration and Conciliation Act's machinery.

Why It Matters

Government and municipal contracts are drafted, more often than not, using standard-form templates that predate modern arbitration drafting practice. This ruling gives contracting parties — and courts below — a clear, workable test to apply when such boilerplate language is challenged: look for genuine mutual consent to a private adjudicatory process, not merely the existence of some named referral authority.

For infrastructure, construction and public-works contractors who frequently contract with municipal and state bodies, the judgment is a caution to review dispute-resolution clauses at the drafting stage rather than assuming that any reference to a named official amounts to arbitration.

Key Takeaways

- The touchstone for an arbitration agreement is mutual consent to a private adjudicatory process — not merely a named referral authority.
- Clauses referring disputes to a Collector, Commissioner or similar departmental office are, absent clear contrary intent, grievance mechanisms, not arbitration clauses.
- Review standard-form government contract templates for this distinction before assuming arbitrability.

Source: Top 10 Supreme Court Judgments, March 2026 — BharatLaw.ai.

CONSTITUTIONAL LAW · URBAN RIGHTS

In Re: Right to Walk & Footpaths

Pedestrians, the Court holds, are not an afterthought of urban planning — they are rights-holders under Article 21.

Constitutional Law Desk

Neutral Citation	2026 INSC 647
Court	Supreme Court of India
Date of Judgment	19 June 2026
Key Provisions	Articles 19(1)(b), 19(1)(d) and 21
Amicus Curiae	Mr. Mamidipudi V. Mukunda

It is easy to overlook the footpath — until it disappears under parked cars, construction debris, or simply was never built. In a judgment that treats a mundane feature of urban life as a constitutional question, the Supreme Court held that the fundamental right to walk, and specifically the right to demarcated, safe footpaths, falls within the sweep of Articles 19 and 21 of the Constitution.

The matter reached the Court in the context of pedestrian road-accident litigation, including a reference connected to In Re: Phalodi Accident (2026 INSC 388), and was argued with the assistance of a court-appointed amicus curiae given its wide-ranging implications for urban and rural infrastructure planning across India.

The Questions Before the Court

- Does the right to walk, and specifically to safe pedestrian infrastructure, form part of the fundamental rights guaranteed under Articles 19(1)(b), 19(1)(d) and 21?
- Where such a right exists, upon which authorities does the corresponding duty to build and maintain footpaths fall?
- How should the right of pedestrians be prioritised relative to the movement of motorised vehicles in the design of public roads?

The fundamental right to walk on demarcated footpaths is primary, and has priority over movement by motorised vehicles.

What the Court Held

The Court held that the fundamental right to walk takes within its sweep the right to demarcated footpaths, and that this right is primary — entitled to priority over movement by motorised vehicles in the design and allocation of road space.

It held that this right carries a correlative duty: wherever a road exists, there is a duty on the concerned authority to ensure demarcated and well-maintained footpaths for pedestrians, since walking is integral to life within the meaning of Article 21.

The Bench identified urban development authorities, municipal corporations, municipalities and even panchayats as the duty-bearers responsible for demarcating, constructing, maintaining and safeguarding footpaths and other pedestrian infrastructure.

The judgment traced a rich cultural and historical narrative around walking as a mode of civic and political expression in India — invoking, among other examples, Mahatma Gandhi's Dandi march and Vinoba Bhave's Bhoodan padayatra — to situate the right to walk within a distinctly Indian constitutional and cultural tradition, alongside comparative material on pedestrian rights from other jurisdictions.

Why It Matters

Road-accident data in India consistently shows pedestrians among the most vulnerable category of road users, disproportionately affected by inadequate or non-existent footpath infrastructure. By constitutionalising the right to a footpath, the Court has given pedestrian-safety advocates and urban planners a rights-based lever that did not previously exist in this form — potentially opening the door to public interest litigation against municipal bodies that fail to provide safe pedestrian infrastructure.

The judgment also fits within a broader pattern in 2026 of the Court reading Article 21 expansively to cover everyday, unglamorous aspects of urban life — following the same interpretive method used in menstrual health and passive euthanasia to treat dignity and bodily autonomy as concepts with very concrete, practical content.

Key Takeaways

- Footpaths are now a constitutional entitlement, not merely a municipal amenity — this can ground writ petitions against non-compliant local bodies.
- The duty to build and maintain footpaths falls on urban and rural local bodies alike, including panchayats.
- Read this alongside In Re: Phalodi Accident (2026 INSC 388) for the Court's connected reasoning on road-accident prevention.

Source: Supreme Court of India judgment, 2026 INSC 647 (19 June 2026).

DATA PRIVACY · EDUCATION LAW

Abhishek Baxi v. Union of India

The Supreme Court insists that even a government student-ID scheme must give parents a real choice to opt out.

Technology & Privacy Desk

Citation	2026 SCC OnLine SC 1391
Court	Supreme Court of India
Governing Statute	Digital Personal Data Protection Act, 2023
Related Precedent	Justice K.S. Puttaswamy (Retd.) v. Union of India (2017)

In August 2025, the Central Board of Secondary Education announced that the Automated Permanent Academic Account Registry (APAAR) ID — a unique student identifier linked to Aadhaar — would become mandatory for all students of Classes IX to XII appearing for board examinations from the 2026 academic session. A challenge followed, contending that the scheme, as designed, left parents and students with no genuine choice in the matter.

The petitioner argued that because the APAAR ID is directly linked to Aadhaar, mandating it effectively compelled children to enrol in Aadhaar — a proposition the petitioner said sat uneasily with the Supreme Court's own 2018 Aadhaar judgment. It was further argued that the consent forms then in use provided no meaningful opt-out mechanism and disclosed little about what data would be collected, for how long, and for what purpose — falling short of the proportionality and legitimate-state-aim test laid down in Justice K.S. Puttaswamy (Retd.) v. Union of India (2017), the case that first recognised privacy as a fundamental right under Article 21.

What the Court Held

The Court directed the Union Government and the CBSE to amend the model consent form used under the APAAR scheme to expressly provide parents or guardians with a real, meaningful option to withhold consent — holding that consent worth the name must be genuinely informed and genuinely optional, not a formality.

It clarified that all collection, processing, storage, retention and sharing of personal data under the APAAR scheme remains subject to the Digital Personal Data Protection Act, 2023, and that student information collected under the scheme cannot be disclosed to private entities or third parties except strictly in accordance with law.

The Bench directed that safeguards drawn from the Orissa High Court's earlier ruling in Rohit Anand Das v. State of Odisha (2025) be implemented nationwide, and gave the authorities a defined window to issue a revised consent framework.

Why It Matters

The case is a reminder that India's post-Puttaswamy privacy jurisprudence is not confined to headline-grabbing surveillance or biometric-database disputes — it applies with equal force to the granular, everyday paperwork through which the State collects children's data via schools. For a generation of students who will spend their entire academic careers inside government digital-ID ecosystems, the meaningfulness of 'consent' at the point of enrolment carries outsized long-term significance.

The ruling also operationalises the Digital Personal Data Protection Act, 2023 in a live governmental scheme, giving practitioners an early example of how courts expect DPDP Act obligations — purpose limitation, restrictions on third-party sharing, and genuine consent — to be applied against public authorities and not merely private data fiduciaries.

Key Takeaways

- Consent forms for State data-collection schemes must offer a genuine, informed opt-out — not a pro-forma acknowledgment.
- The DPDP Act, 2023 governs government schemes such as APAAR, including restrictions on third-party data sharing.
- This case builds directly on the proportionality test from Justice K.S. Puttaswamy (Retd.) v. Union of India (2017).

Sources: SCC Times — Supreme Court July 2026 Round-Up; Prime Legal.

ALSO IN THE NEWS

Bail, Liberty and the UAPA

The Court revisits its own earlier order in a closely watched terror-conspiracy case.

On 5 January 2026, a Bench of Justices Aravind Kumar and N.V. Anjaria declined bail to Umar Khalid and Sharjeel Imam in the ongoing 2020 Delhi riots larger-conspiracy case, while granting bail to five co-accused in the same matter — Gulfisha Fatima, Meeran Haider, Shifa Ur Rehman, Saleem Khan and Shadab Ahmad. The accused face charges under the Unlawful Activities (Prevention) Act, 1967 (UAPA) and provisions of the erstwhile Indian Penal Code arising out of the February 2020 riots, in which 53 people died and hundreds were injured amid protests against the Citizenship (Amendment) Act.

The January ruling proved not to be the final word. On 18 May 2026, a different Bench — Justices B.V. Nagarathna and Ujjal Bhuyan — while granting bail to an unrelated NIA detainee in a separate narco-terror case, took the unusual step of openly questioning the January judgment's reasoning. The Bench held that the earlier ruling had not properly applied the binding three-judge precedent in Union of India v. K.A. Najeeb (2021), which recognised prolonged pre-trial incarceration and undue delay in trial as valid grounds for bail even under the stringent UAPA.

The May Bench reaffirmed that the principle 'bail is the rule and jail is the exception' is not a mere statutory slogan but a constitutional principle rooted in Articles 21 and 22, holding that this principle cannot be diluted or circumvented by any court, regardless of the bench's numerical strength, where it conflicts with a binding larger-bench precedent.

Two Views in the Public Debate

The episode has generated genuinely divided commentary. Civil liberties commentators have pointed to it as evidence that UAPA bail jurisprudence had drifted from the liberty-protective standard set in K.A. Najeeb, and have argued more broadly that stringent anti-terror provisions have at times been used against protest leaders and activists in ways that go beyond the statute's original anti-terrorism purpose. Other commentators, including counsel for the prosecution in the underlying case, have maintained that the accused face a credible prima facie case under a statute Parliament deliberately designed with a higher threshold for bail, and that the Delhi riots caused significant loss of life warranting serious scrutiny of the conspiracy allegations.

As of the date of this issue, Umar Khalid and Sharjeel Imam's trial remains pending, and no fresh bail order specific to them had been passed pursuant to the May 2026 observations. Readers should treat this as a developing matter and check for subsequent orders before relying on this summary.

Sources: LiveLaw; The Quint; Siasat; News Mobile; Legal Service India; All India Radio News (newsonair.gov.in).

HIGH COURTS ROUND-UP

Beyond the Supreme Court

A digest of significant High Court rulings from January to August 2026.

While the Supreme Court's docket draws the headlines, India's twenty-five High Courts collectively decide a far larger volume of cases that shape day-to-day legal practice. This round-up highlights a curated selection of noteworthy High Court rulings from the period under review.

Delhi High Court

- The Delhi High Court permitted a law student pursuing a three-year LLM while practising law to continue the degree despite an attendance shortfall, taking a practical view of the demands of balancing practice with postgraduate study.
- In a POCSO matter, the Court upheld the conviction of a father who had impregnated his minor daughter, relying substantially on DNA evidence, while in a separate matter it modified a sentence on the finding that rubbing against a child's private parts over clothing did not meet the statutory threshold for 'penetrative sexual assault' under the Act.
- The Court directed the Union Government to take a decision within two months on constituting the National Nursing and Midwifery Commission, noting that more than two years had elapsed without the Commission being set up.

Gujarat High Court

- Refusing anticipatory bail to a husband accused of sexually assaulting his wife, the Court observed that bodily freedom and autonomy are recognised even within the institution of marriage — a notable observation in the continuing national debate over the marital rape exception.

Madhya Pradesh High Court

- The Court quashed charges of rape and an unnatural-offences charge in a matter arising from allegations by a wife against her husband, holding on the facts before it that forced unnatural intercourse within a marriage was properly characterised as cruelty under Section 498-A of the erstwhile Indian Penal Code rather than as rape, given the statutory marital exception then in force.

Allahabad High Court

- The Court criticised the Uttar Pradesh Home and Police Departments for a lackadaisical approach to compliance with its earlier directions concerning alleged misuse of police powers under the Gangsters Act, underscoring continuing judicial scrutiny of preventive-detention-adjacent legislation.

Bombay High Court

- In a housing dispute, the Court held that apartment owners with a larger proportionate carpet area must contribute to common-area maintenance charges proportionately — rejecting a flat, per-unit charging model as inconsistent with equitable cost-sharing principles under housing society bye-laws.

Karnataka High Court

- The Court has continued to see a steady docket of technology-law matters, including disputes over intermediary liability and content takedown requests, reflecting Bengaluru's position as a hub for India's technology sector and the litigation that follows it.

Calcutta High Court

- The Court has dealt with a number of service and municipal law matters in 2026, continuing its long institutional history — the Calcutta High Court, established in 1862, is among the oldest High Courts in the country and a significant source of colonial-era and post-Independence precedent still cited today.

Kerala High Court

- The Court has been active on public health and consumer protection matters, including rulings on food safety enforcement and adulteration — an area also covered in national commentary this year on the gap between food-safety law on paper and its enforcement on the ground.

Punjab and Haryana High Court

- With Justice Sheel Nagu's elevation to the Supreme Court in June 2026 after serving as Chief Justice of this Court, the Punjab and Haryana High Court's leadership transitioned to an acting Chief Justice pending a permanent appointment — a reminder of how closely High Court and Supreme Court appointments are linked through the collegium process.

A Note on Reading High Court Rulings

High Court decisions do not bind courts outside their own territorial jurisdiction, but they are frequently persuasive authority for courts elsewhere and, in the absence of contrary Supreme Court precedent, may be followed nationally on a particular point of law. Readers preparing for moot court or examinations should always check whether a subsequent Supreme Court ruling — or a contrary ruling from another High Court — has altered the position summarised here.

2026 IN REVIEW

The Legal Year So Far: A Timeline

The major rulings covered in this issue, laid out chronologically.

05 Jan 2026 Supreme Court denies bail to Umar Khalid and Sharjeel Imam in the 2020 Delhi riots conspiracy case; five co-accused granted bail.

10 Jan 2026 State of Uttar Pradesh v. Anurudh (2026 INSC 47) — Court flags POCSO misuse and recommends a 'Romeo-Juliet clause'.

30 Jan 2026 Dr. Jaya Thakur v. Government of India — menstrual health recognised as a fundamental right under Articles 14 and 21.

30 Jan 2026 Rhythm County v. Satish Sanjay Hegde — NGT's broad discretion to fix environmental compensation affirmed.

11 Mar 2026 Harish Rana v. Union of India (2026 INSC 222) — India's first fully implemented passive euthanasia order.

20 Mar 2026 Naveen Solanki v. Rail Land Development Authority (2026 INSC 270) — 'deemed forest' status clarified.

24 Mar 2026 Pooja Pal and Yogendra Kumar Singh rulings — ACRs from discriminatory periods cannot bar women officers' Permanent Commission.

Mar 2026 M/s Bharat Udyog Ltd. v. Ambernath Municipal Council (2026 INSC 288) — test for a valid arbitration agreement clarified.

13 Apr 2026 In Re: T.N. Godavarman Thirumulpad — decades-long forest conservation litigation procedurally restructured.

15 Apr 2026 Justice Rajesh Bindal retires from the Supreme Court on reaching the mandatory retirement age.

18 May 2026 Supreme Court questions its own January 2026 order denying bail to Umar Khalid, reaffirming 'bail is the rule' under UAPA.

02 Jun 2026 Justices Shree Chandrashekhar and Sheel Nagu assume office as judges of the Supreme Court.

19 Jun 2026 In Re: Right to Walk & Footpaths (2026 INSC 647) — pedestrian right to footpaths recognised under Articles 19 and 21.

02 Jul 2026 Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. (2026 INSC 668) — Court sets aside orders built on AI-hallucinated precedent.

27 Jul 2026 Abhishek Baxi v. Union of India (2026 SCC OnLine SC 1391) — APAAR consent form must offer a genuine opt-out.

REFERENCE

The Constitution at a Glance

Every constitutional provision invoked in this issue's featured judgments, in one table.

Article	Right	Referenced In This Issue
Art. 14	Equality before law	Menstrual health (Jaya Thakur); Women officers' Permanent Commission
Art. 16	Equality of opportunity in public employment	Women officers' Permanent Commission (Pooja Pal; Yogendra Kumar Singh)
Art. 19(1)(a)	Freedom of speech and expression	Discussed in UAPA bail commentary
Art. 19(1)(b)/(d)	Freedom of assembly and movement	Right to Walk & Footpaths
Art. 21	Right to life and personal liberty	Harish Rana (euthanasia); Menstrual health; Right to Walk; APAAR privacy; UAPA bail
Art. 21-A	Right to education	Menstrual health as a barrier to education (Jaya Thakur)
Art. 22	Protection against arbitrary arrest and detention	UAPA bail proceedings (Umar Khalid & Anr.)
Art. 226	High Court writ jurisdiction	High Courts Round-Up cases
Art. 254	Repugnancy between Union and State law	Referenced in IBC/insolvency commentary

This table is a study aid, not a substitute for reading the text of the Constitution itself. Several provisions summarised here carry a body of interpretive case law far larger than any single issue of this magazine can capture.

LEGISLATIVE & POLICY UPDATES

What Changed on the Statute Books

Notifications, rules and policy shifts from the first eight months of 2026.

Bonus Rules under the Code on Wages, 2019

The Central Government has notified rules governing eligibility for, and calculation of, statutory bonus under the Code on Wages, 2019 — one of the four labour codes intended to consolidate and simplify India's labour legislation. Employers and HR compliance teams should review the new eligibility thresholds and calculation methodology against their existing bonus policies to ensure continued compliance as the labour codes are progressively rolled out across states.

Forest (Conservation) Amendment Act, 2023 — Continuing Litigation

Constitutional challenges to the Forest (Conservation) Amendment Act, 2023 remain pending before the Supreme Court. Petitioners — including former forest, IAS and foreign service officials, alongside environmental activists — contend that the amended definition of 'forest land' narrows the scope of the landmark 1996 T.N. Godavarman Thirumulpad ruling, potentially opening large tracts of ecologically sensitive land to diversion with reduced regulatory scrutiny. The Supreme Court has, in the interim, directed the Union and State Governments to refrain from taking steps that would reduce forest cover pending final disposal of the challenge.

AI Guidelines for Courts and Tribunals

Following the Pooja Ramesh Singh ruling profiled elsewhere in this issue, expect movement from the Bar Council of India and possibly the e-Committee of the Supreme Court on formal guidance governing the use of generative AI tools in legal research, drafting and advocacy. Law firms and chambers would be well advised to adopt internal verification protocols for AI-assisted research ahead of any formal regulatory requirement.

Judicial Appointments

The Supreme Court collegium recommended, and the Union Government cleared, the elevation of Justice Shree Chandrashekhar (formerly Chief Justice of the Bombay High Court) and Justice Sheel Nagu (formerly Chief Justice of the Punjab and Haryana High Court) to the Supreme Court of India, both assuming office on 2 June 2026. Separately, Justice Rajesh Bindal retired from the Supreme Court on 15 April 2026 upon reaching the mandatory retirement age of 65.

Watch List for the Remainder of 2026

- Final disposal of the Forest (Conservation) Amendment Act, 2023 constitutional challenge.
- Any legislative response to the Supreme Court's 'Romeo-Juliet clause' recommendation under the POCSO Act.

- Formal AI-use guidelines for courts, tribunals and the Bar following Pooja Ramesh Singh v. J&K Bank.
- Continued monitoring of compliance with the menstrual health directions issued in Dr. Jaya Thakur v. Government of India.

LEGAL GLOSSARY

Legal Glossary of the Month

Plain-language definitions of terms that appeared in this issue.

Passive Euthanasia — The withdrawal or withholding of life-sustaining medical treatment from a patient, allowing the underlying condition to take its natural course, as distinguished from 'active euthanasia', which involves a positive act to end life and remains a criminal offence in India.

Continuing Mandamus — A judicial technique in which a court keeps a case formally pending rather than closing it after judgment, so that it can issue further directions and monitor an authority's ongoing compliance over time.

Best Interests Test — A legal standard used, particularly in end-of-life and welfare cases, to determine the course of action that best serves a person who cannot express their own current wishes, weighing medical, ethical and personal factors.

Deemed Forest — Land not formally notified as a forest under the Indian Forest Act, 1927, but which courts have, in some circumstances, treated as forest land for the purposes of the Forest (Conservation) Act, 1980, based on its ecological character.

AI Hallucination — The tendency of generative AI tools to produce plausible-sounding but entirely fabricated content — including non-existent case names, citations or quotations — presented with the same apparent confidence as accurate information.

Section 7, IBC — The provision of the Insolvency and Bankruptcy Code, 2016 that allows a 'financial creditor' to apply to the National Company Law Tribunal to initiate the corporate insolvency resolution process against a defaulting corporate debtor.

Arbitration Agreement — A contractual clause by which parties agree, with genuine mutual consent, to resolve disputes through a private adjudicatory process (arbitration) rather than through the ordinary court system.

Permanent Commission — A long-term commission granted to officers in the Indian Armed Forces, as distinguished from a Short Service Commission, which is time-limited and does not, by itself, entitle the officer to serve until retirement age.

Substantive Equality — A constitutional concept holding that true equality sometimes requires accounting for differences in social position, rather than treating all persons identically regardless of structural disadvantage — as opposed to purely 'formal equality'.

Neutral Citation — A citation format (such as '2026 INSC 222') assigned by the court itself, independent of any private law reporter, intended to make judgments uniformly citable regardless of which reporter eventually publishes them.

Writ of Mandamus — A court order compelling a public authority to perform a duty it is legally obligated to perform — one of the five constitutional writs available under Articles 32 and 226.

Amicus Curiae — Literally 'friend of the court' — a senior advocate or subject-matter expert appointed by a court to assist it with an objective, well-researched view of the law, especially in matters of wide public importance.

Suo Motu Cognizance — Action a court or tribunal takes on its own initiative, without a formal petition having been filed by an affected party — commonly used by the National Green Tribunal and constitutional courts in urgent public-interest matters.

Curative Petition — A petition invoking the Supreme Court's inherent power to reconsider its own final judgment in exceptional circumstances, filed after a review petition has already been dismissed.

Stare Decisis — The doctrine that courts should follow precedent set by earlier decisions, particularly those of a co-ordinate or larger bench, in the interest of certainty and consistency in the law.

Data Fiduciary — Under the Digital Personal Data Protection Act, 2023, any person or entity that determines the purpose and means of processing personal data — carrying statutory obligations toward the individuals whose data is processed.

STUDENT CORNER

Moots, Internships & Careers

Resources and guidance for the next generation of the Indian legal profession.

How to Read a Judgment Like a Practitioner

- Start with the cause title, citation and bench composition — these tell you the court's hierarchy and the judges whose reasoning style you're about to read.
- Identify the 'issues' the Court frames early in the judgment — everything that follows is usually structured around answering them in order.
- Separate the ratio decidendi (the binding reasoning necessary to the decision) from obiter dicta (observations not strictly necessary to it) — only the former binds future courts.
- Always check whether the judgment has since been referred to a larger bench, distinguished, or overruled before relying on it in an assignment, brief or moot memorial.

Moot Court Corner

Several national and international moot court competitions opened registrations in the period covered by this issue, spanning subjects from insolvency and arbitration to constitutional law and environmental law. Law School Correspondents of the Indian Judicial Forum are encouraged to share announcements of moot court competitions, essay competitions, and call-for-paper opportunities from their respective institutions for inclusion in future issues.

Internship & Career Corner

- Chambers of practising Senior Advocates and litigation-focused law firms typically open winter and summer internship applications several months in advance — track individual chamber and firm websites directly.
- When applying to a judge's chambers for a clerkship or internship, tailor your cover letter to that judge's areas of specialisation and recently authored judgments — generic applications are the single most common reason for rejection.
- Build a habit of case-noting one significant judgment a week in your own words; over a few years, this becomes both a research skill and a personal reference library.

Certification Programmes

The Indian Judicial Forum runs periodic certification programmes designed for law students and early-career professionals across constitutional law, contract drafting, arbitration and legal research. Details of upcoming cohorts, eligibility and registration are available on the Forum's website under the Certification & Awards section.

Career Paths: A Quick Map

- Litigation — chambers of a Senior Advocate, or an independent practice built through District Court, High Court or Supreme Court appearances; typically the longest apprenticeship but the most direct route to the bench.
- Corporate & Transactional Law — law firm practice areas such as M&A, banking and finance, capital markets, and competition law, usually entered through campus placements or lateral hiring.

- Litigation-Adjacent Careers — arbitration and ADR practice, legal process outsourcing, legal technology, and compliance roles within companies.
- Judicial Services — State Judicial Service examinations offer a direct path to becoming a civil judge, an increasingly popular option for students seeking an early judicial career.
- Academia & Policy — teaching, legal research, and policy roles within think tanks, regulatory bodies, and international organisations.

Legal Writing Tips from the Editorial Desk

- Lead with your conclusion, then justify it — legal readers, including judges, are busy and want the answer before the reasoning.
- Cite precisely: pinpoint paragraph numbers, not just case names, whenever you can.
- Read your own draft aloud — sentences that are hard to say aloud are usually hard to follow in writing too.
- When in doubt, cut adjectives before you cut facts — precision, not decoration, is what makes legal writing persuasive.

READER MAILBAG

Frequently Asked Questions

Common questions the Indian Judicial Forum receives about this year's rulings.

Q. Does the Harish Rana judgment mean euthanasia is now generally legal in India? *A. No. Only passive euthanasia — the withdrawal of medical treatment such as CANH in narrowly defined circumstances, following a structured medical-board and best-interests process — is permitted. Active euthanasia, meaning any positive act intended to cause death, remains a criminal offence.*

Q. Is the 'Romeo-Juliet clause' now part of the POCSO Act? *A. Not yet. The Supreme Court in State of U.P. v. Anurudh recommended that the Union Government consider introducing such an exemption; until Parliament amends the Act, the POCSO Act's existing provisions continue to apply in full to all cases, regardless of the ages or relationship of the parties.*

Q. Can I still cite an AI research tool's case summary in a college assignment? *A. You can use it as a starting point for research, but after Pooja Ramesh Singh v. J&K Bank, you should never cite a case name, citation, or quotation from an AI tool without independently verifying it against a primary source such as the court's official website, SCC Online, or Indian Kanoon.*

Q. Does the menstrual health judgment apply to private schools too? *A. The directions are framed to apply broadly to schools; however, readers should check the specific implementation notifications issued by their State Government and the relevant State Education Department for the precise scope of coverage in their jurisdiction.*

Q. Where can I read the full text of these judgments? *A. The Supreme Court's official website (sci.gov.in) publishes judgments and landmark judgment summaries; Indian Kanoon and SCC Online are also widely used free and subscription resources respectively.*

TRIVIA CORNER

Legal Trivia & Quiz Corner

Test what you've learned in this issue.

Q1. In Harish Rana v. Union of India, which 2018 judgment supplied the passive euthanasia framework the Court applied?

Q2. Under which two Articles of the Constitution did the Supreme Court ground menstrual health as a fundamental right in Dr. Jaya Thakur's case?

Q3. What professional body did the Supreme Court ask to examine advocate conduct in Pooja Ramesh Singh v. J&K Bank?

Q4. What term did the Supreme Court invoke to describe a possible statutory exemption for genuine adolescent relationships under the POCSO Act?

Q5. Under the Forest (Conservation) Act, 1980, what long-running litigation supplies the doctrinal foundation for India's 'deemed forest' jurisprudence?

Answers

1. Common Cause v. Union of India (2018) 5 SCC 1. 2. Articles 14 and 21. 3. The Bar Council of India. 4. A 'Romeo-Juliet clause'. 5. The T.N. Godavarman Thirumulpad litigation (since 1995).

JUST FOR FUN

Legal Word Puzzle

Ten terms from this issue — how many can you place without peeking at the glossary?

1. The withdrawal of life-sustaining treatment, recognised in the Harish Rana case (10)

2. A continuing ____: the judicial technique used to monitor compliance in the menstrual health case (8)

3. A private dispute-resolution process the Bharat Udyog case distinguished from a departmental grievance mechanism (11)

4. What the Supreme Court called AI-generated fake case citations in Pooja Ramesh Singh's case (13)

5. The pedestrian infrastructure recognised as a constitutional entitlement in June 2026 (8)

6. The health and hygiene issue recognised as a fundamental right under Articles 14 and 21 (10)

7. The Section 7 application in Pooja Ramesh Singh's case arose under this Code (10)

8. The fundamental right first recognised in K.S. Puttaswamy (2017), central to the APAAR ruling (7)

9. Latin term for a 'friend of the court' appointed to assist in a matter of wide public importance (6)

10. Land whose 'deemed' status was at issue in the Naveen Solanki ruling (6)

Word Bank

EUTHANASIA • MANDAMUS • ARBITRATION • HALLUCINATION • FOOTPATH • MENSTRUAL • INSOLVENCY • PRIVACY • AMICUS • FOREST

Answers

1. EUTHANASIA 2. MANDAMUS 3. ARBITRATION 4. HALLUCINATION 5. FOOTPATH 6. MENSTRUAL 7. INSOLVENCY 8. PRIVACY 9. AMICUS 10. FOREST

QUICK REFERENCE

Judgment Digest

Every case in this issue, at a glance — for quick citation and revision.

Case	Citation	Court	Subject
Harish Rana v. Union of India	2026 INSC 222	Supreme Court	Passive euthanasia; Art. 21
Dr. Jaya Thakur v. Govt. of India	30-01-2026	Supreme Court	Menstrual health; Art. 14 & 21
Pooja Ramesh Singh v. J&K Bank Ltd.	2026 INSC 668	Supreme Court	AI-hallucinated precedent; IBC
State of U.P. v. Anurudh	2026 INSC 47	Supreme Court	POCSO; age determination
Naveen Solanki v. Rail Land Dev. Auth.	2026 INSC 270	Supreme Court	'Deemed forest' status
State of Karnataka v. Gandhi Jeevan Collective Farming Society	2026	Supreme Court	Forest (Conservation) Act, 1980
Pooja Pal v. Union of India	2026 INSC 281	Supreme Court	Women officers; Permanent Commission
Yogendra Kumar Singh v. Union of India	2026 INSC 282	Supreme Court	Women officers (Navy); Permanent Commission
Bharat Udyog Ltd. v. Ambernath Municipal Council	2026 INSC 288	Supreme Court	Arbitration agreement; validity
Rhythm County v. Satish Sanjay Hegde	30-01-2026	Supreme Court	NGT compensation powers
In Re: T.N. Godavarman Thirumulpad	13-04-2026	Supreme Court	Forest litigation restructuring
In Re: Right to Walk & Footpaths	2026 INSC 647	Supreme Court	Pedestrian rights; Art. 19 & 21
Abhishek Baxi v. Union of India	2026 SCC OnLine SC 1391	Supreme Court	APAAR / student data privacy
Umar Khalid & Anr. — bail proceedings	05-01-2026 / 18-05-2026	Supreme Court	UAPA bail; Art. 21 & 22

Always verify citations against the Supreme Court's official website (sci.gov.in), the e-SCR portal, or Indian Kanoon before use in academic or professional work.

BENCH WATCH

Appointments & Retirements, 2026

Tracking the changing composition of the Supreme Court of India.

New Appointments

- Justice Shree Chandrashekhar — formerly the 49th Chief Justice of the Bombay High Court, assumed office as a judge of the Supreme Court of India on 2 June 2026. He previously served as a judge of the Rajasthan High Court and the Jharkhand High Court, and acted as Chief Justice of the Jharkhand High Court between December 2023 and July 2024.
- Justice Sheel Nagu — formerly the 36th Chief Justice of the Punjab and Haryana High Court, also assumed office as a judge of the Supreme Court on 2 June 2026. He previously served as a judge of the Madhya Pradesh High Court for over a decade, including a stint as its Acting Chief Justice.

Retirements

- Justice Rajesh Bindal retired from the Supreme Court on 15 April 2026 upon reaching the mandatory retirement age of 65. He had earlier served as Chief Justice of the Allahabad High Court and as a judge of the Calcutta and Jammu & Kashmir High Courts, and was part of the bench that quashed the Punjab Scheduled Caste and Backward Classes (Reservation in Services) Act, 2006.
- Justice Sanjay Karol demitted office from the Supreme Court in August 2026 after a tenure of three years on the Bench, marking the end of a judicial career the Forum's 'Know Thy Judge' series has covered in detail on judicialforum.in-affiliated legal media.

Why Track This

Bench composition matters. Which judges sit on a particular matter can shape both the outcome and the reasoning of a case — as this issue's own coverage of the Umar Khalid bail proceedings illustrates, where a differently constituted Bench revisited an earlier Bench's approach to the same underlying legal question. Students and practitioners who track appointments, retirements, and each judge's known areas of specialisation build a sharper sense of how a matter is likely to be approached before a particular Bench.

CERTIFICATION & AWARDS

Grow With the Forum

Certification programmes, recognitions and how to get involved.

Certification Programmes

The Indian Judicial Forum offers structured certification programmes designed to build practical legal skills alongside academic study — covering areas such as constitutional law, arbitration and ADR, contract drafting, legal research and legal writing. Programmes are open to law students, fresh graduates and early-career professionals, and typically combine self-paced modules with an assessment component.

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Formal academic training in law necessarily moves at the pace of a fixed syllabus, while the law itself moves considerably faster — as this very issue demonstrates. Certification programmes are designed to sit alongside a law degree, not replace it, giving students a structured way to build practical, current skills in areas that may receive only a lecture or two in a traditional curriculum, such as arbitration drafting, legal research using modern databases, or the professional-responsibility questions raised by AI-assisted legal work.

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- Priority consideration for Law School Correspondent positions and student editorial roles on future issues.

GET PUBLISHED

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The Hidden Voice is always looking for sharp, well-researched legal writing.

The Indian Judicial Forum invites case comments, legal opinion pieces, legislative analyses and student research notes for consideration in forthcoming issues of The Hidden Voice. We are particularly interested in pieces that:

- Analyse a recent judgment of the Supreme Court, a High Court, or a specialised tribunal in accessible, well-cited language.
- Track the practical implementation — or non-implementation — of a landmark ruling's directions.
- Explore an emerging area of law, such as AI regulation, climate litigation, or digital privacy.
- Offer a student's-eye view of moot court experiences, internships, or the transition from law school to practice.

Submission Guidelines

- Submissions should be original, unpublished, and properly cited using a consistent citation style.
- Case comments: 1,200–2,000 words. Opinion pieces: 800–1,500 words. Research notes: up to 3,000 words.
- Include a two-line author bio and institutional affiliation, if any.
- All submissions undergo editorial review before acceptance; the Forum reserves the right to edit for length, clarity and house style.

How to Submit

Send your submission through the 'Join Legal Forum' or 'Call for Magazine Articles' section of judicialforum.in, or through the official contact channels listed below.

Topics We'd Love to See Next

- Tracking implementation of the menstrual health directions at the state level — has your state issued compliance notifications?
- The Bar Council of India's response to the AI-hallucinated precedent controversy — what should verification protocols look like in practice?
- Comparative perspectives — how do other common-law jurisdictions handle passive euthanasia, pedestrian rights, or student data privacy?
- First-person accounts from Law School Correspondents on moot court, internships, and the transition to practice.

Editorial Calendar

The Hidden Voice publishes on a rolling basis, with special editions timed to major developments in Indian law. Contributors are welcome to pitch time-sensitive pieces as significant judgments are delivered, as well as evergreen explainers suitable for any issue.

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